

REMARKS

This paper is in response to the Office Action of December 19, 2003. The due date for response extends to April 19, 2004, with a one month extension of time.

A Request for Continued Examination (RCE) is being filed along with this amendment.

Applicants appreciate the Examiner's thorough review of the present application and thank the Examiner for the telephone interview of March 16, 2004. Reconsideration is respectfully requested in light of the foregoing amendments and the following remarks.

Independent claims 11, 25, and 40 have been amended to more clearly define the invention. Specifically, the independent claims have been amended to recite that the organic metal gas and the nitride gas are supplied into a MOCVD chamber separately. In addition, the substrate has been defined as sapphire. Still further, the compound semiconductor selection has been amended into the independent claims.

Claims 11-12 and 21-45, before the aforementioned amendment, were rejected under 35 U.S.C. § 103(a) over Nishikawa et al. (U.S. 6,323,053) in view of Furukawa et al. (U.S. 5,930,656). This rejection is respectfully traversed. As discussed with the Examiner, the combined references fail to teach or suggest the separate delivery of the organic metal gas and the nitride gas into a MOCVD chamber. In fact, the teachings in the references themselves, teach against such separate delivery. See '656 patent, Col. 4, lines 1-4 and 19-27.

Accordingly, the Examiner is respectfully requested to withdraw the rejections under Section 103.

For at least the same reasons, the Applicants submit that the dependent claims are allowable.

A Notice of Allowance is therefore respectfully requested.

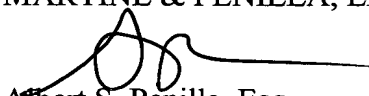
If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 749-6903. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge

Appl. No. 10/039,199
Amdt. dated April 19, 2004
Reply to Office action of December 19, 2003

PATENT

Deposit Account No. 50-0805 (Order No. JLINP081). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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